

The Hon. Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

CRAIG GREER,
Defendant.

NO. 2:14-cr-00165-RAJ

**FINAL ORDER OF FORFEITURE
OF SUBSTITUTE ASSETS**

THIS MATTER comes before the Court on the United States' Motion for Final Order of Forfeiture of Substitute Assets ("Motion") seeking to forfeit to the United States, pursuant to 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2(e)(1)(B) and 32.2(e)(2), U.S. funds in the amount of \$87,635 (the "Funds"), which are Defendant Craig Greer's share of proceeds from the sale of real property located in Broward County, Florida, in partial satisfaction of Defendant Greer's forfeiture money judgment.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, hereby FINDS that entry of a Final Order of Forfeiture of Substitute Assets is appropriate because of the following:

- On December 18, 2015, Defendant pleaded guilty to *Conspiracy to Distribute Controlled Substances by Means of the Internet*, in violation of 21 U.S.C. §§ 823(f), 841(h)(1), 841(b)(1)(E), and 846, as charged in Count 1 of the Indictment. Dkt. No. 213. In his Plea Agreement, Defendant

1 agreed to forfeit his interest in a forfeiture money judgment in the amount
 2 of \$88,635, representing, in part, the proceeds Defendant obtained from his
 3 commission of this offense, but which the United States was unable to
 4 recover even with the exercise of due diligence. *Id.*, ¶ 7.

- 5 • On April 8, 2016, the Court entered an Order of Forfeiture pursuant to
 6 21 U.S.C. § 853, forfeiting Defendant’s interest in a money judgment in the
 7 amount of \$88,635, representing the proceeds Defendant obtained from
 8 commission of the *Conspiracy to Distribute Controlled Substances by*
 9 *Means of Internet*, in violation of 21 U.S.C. §§ 823(f), 841(h)(1),
 10 841(b)(1)(E), and 846. Dkt. No. 244.
- 11 • At Defendant’s sentencing on May 13, 2016, the Court imposed the
 12 forfeiture money judgment in the amount of \$88,635 and incorporated the
 13 Order of Forfeiture in the Judgment. Dkt. No. 271.
- 14 • On August 31, 2016, the United States recorded the Order of Forfeiture
 15 with the Broward County Florida Commission. *See* Declaration of Deputy
 16 U.S. Marshal Rony Gilot in Support of Motion for Preliminary Order of
 17 Forfeiture of Substitute Assets (“Gilot Decl.”), Dkt. No. 349, ¶ 7 and Dkt.
 18 No. 351 (Exhibit A).
- 19 • As of March 28, 2024, Defendant Greer had paid a total of \$1,000 to the
 20 U.S. Marshals Service (“USMS”). These funds were applied to his
 21 forfeiture money judgment. *See* Gilot Decl., ¶ 13.
- 22 • On September 5, 2023, Defendant and a co-owner (W.H.) sold the real
 23 property located at 16101 Emerald Estates Drive, #346, Weston, Florida,
 24 33331 (the “Florida Property”). *See* Gilot Decl., ¶ 8 and Dkt. No. 351
 25 (Exhibit B).

26 ///

27 ///

- 1 • On September 7, 2023, the USMS received a wire transfer of U.S. funds in
2 the amount of \$87,635, representing some of Defendant Greer's share of
3 proceeds from the sale of the Florida Property, (the Funds) *See* Gilot Decl.,
4 ¶ 12.
- 5 • The forfeiture money judgment reflects the proceeds that Defendant
6 obtained from his offenses, which the United States was unable to recover
7 directly at the time of prosecution. Even with the exercise of due diligence,
8 the United States was unable to locate any of Defendant's proceeds. *See*
9 Gilot Decl., ¶ 14. Accordingly, the United States has satisfied the condition
10 in 21 U.S.C. § 853(p)(1)(A).
- 11 • The United States has established by a preponderance of the evidence that
12 the above-identified \$87,635 in U.S. funds is Defendant's property, may be
13 forfeited as substitute property, and may be applied against Defendant's
14 outstanding balance of the forfeiture money judgment.
- 15 • On April 12, 2024, the Court entered a Preliminary Order of Forfeiture of
16 Substitute Assets, finding the above-identified \$87,635 forfeitable pursuant
17 to 21 U.S.C. § 853(p) and Fed. R. Crim. P. 32.2(e)(1)(B) and 32.2(e)(2),
18 and forfeiting the Defendant's interest in it. Dkt. No. 350.
- 19 • Thereafter, the United States published notice of the pending forfeitures as
20 required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure
21 32.2(b)(6)(C) (Dkt. No. 343) and provided direct notice to two potential
22 claimants as required by Fed. R. Crim. P. 32.2(b)(6)(A). *See* Declaration of
23 AUSA Karyn S. Johnson in Support of Motion for a Final Order of
24 Forfeiture, ¶ 2, Exhibits A and B.
- 25 • The time for filing third-party claims expired on June 13, 2024, and none
26 were filed.

- The outstanding balance of Defendant's forfeiture money judgment is presently \$87,635.

NOW, THEREFORE, THE COURT ORDERS:

1. No right, title, or interest in the above-identified \$87,635 exists in any party other than the United States;
2. The above-identified \$87,635 in U.S. funds is fully and finally condemned and forfeited, in its entirety, to the United States as substitute assets;
3. A credit in the amount of \$87,635 in U.S. funds shall be applied to Defendant Greer's outstanding forfeiture money judgment; and
4. The United States Department of Justice, United States Marshals Service, and/or their representatives, are authorized to dispose of the above-identified \$87,635 as permitted by governing law.

IT IS SO ORDERED.

DATED this 2nd day of July, 2024.



The Honorable Richard A. Jones
United States District Judge